

Electronically Recorded

Official Public Records

Tarrant County Texas

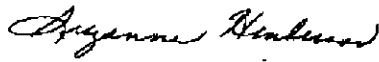
2009 May 21 08:17 AM

Fee: \$ 24.00

Submitter: SIMPLIFILE

D209135454

3 Pages



Suzanne Henderson

**AMENDMENT TO OIL AND GAS LEASE**  
(To Correct Land Description)

**Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: Your social security number or your driver's license number.**

STATE OF TEXAS

COUNTY OF TARRANT

**LESSOR: John Robert Engert, individually and as Independent Executor of the Estate of Helen Ruth Willmon, deceased**  
**58 Waterford Bend**  
**The Woodlands, Texas 77381**

**LESSEE: Finley Resources, Inc.**  
**1308 Lake Street**  
**Fort Worth, Texas 76102**

**Effective Date: December 11, 2005**

Lessee, named above, and XTO Energy Inc., are the present owners of an Oil and Gas Lease (the "Lease"), dated December 11, 2005, from Lessor, named above, which Lease is recorded in D206020273 of the Official Public Records of the county and state named above. Finley Resources, Inc. made a partial assignment of this lease to XTO Energy Inc. in Partial Assignment of Oil, Gas and Mineral Leases dated April 29, 2008, recorded in Instrument Number D208170280, Official Public Records of the county and state named above.

At the time the Lease was entered into, the description of the lands contained in the Lease was believed by Lessor and Lessee to cover, and was intended by them to cover, certain lands owned by Lessor.

Since the execution, delivery, and recording of the Lease, it has been discovered that the description of lands contained in the Lease does not adequately describe the lands Lessor and Lessee intended to be covered by the Lease. Lessor and Lessee desire to amend and correct the description of the lands contained in the Lease to accurately identify the lands to be covered by and subject to the terms of the Lease.

For adequate consideration, and the further consideration of the obligations and agreements contained in the Lease, Lessor acknowledges and agrees that the Lease shall cover, and the Lease is amended, so that it now covers the following lands in the county and state named above:

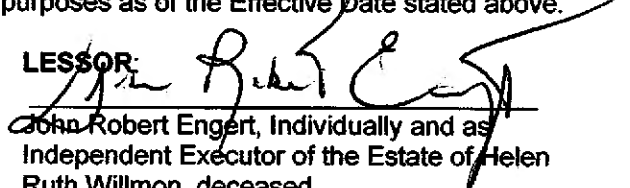
Being all of Lot 20R, Block 2, Lake Worth Leases, an addition to the City of Fort Worth, Tarrant County, Texas, as shown by plat thereof recorded at Cabinet A, Slide 5516, Plat Records of Tarrant County, Texas, containing 0.3556 acres, more or less.

Lessor ratifies, adopts, and confirms the Lease and extends the Lease to cover the lands described in this Amendment as if the description of lands set out above had been originally included in the Lease. Lessor grants, leases, and lets to Lessee, its successors and assigns, the lands described in this Amendment for the purposes of and on the terms, conditions, and provisions contained in the Lease.

This Amendment shall be binding for all purposes on Lessor and Lessor's successors, heirs and assigns.

This Amendment is signed by Lessor and Lessee as of the date of the acknowledgment of their signatures below, but is effective for all purposes as of the Effective Date stated above.

LESSOR

  
John Robert Engert, Individually and as  
Independent Executor of the Estate of Helen  
Ruth Willmon, deceased

See Attached  
Notarial Certificate

AFTER RECORDING RETURN TO:  
XTO Energy Inc. - Land Dept.  
810 Houston St.  
Fort Worth, TX 76102 - LST  
Attn: Recording Department

D209135454

**Finley Resources, Inc.**

Printed Name: Clinton H. Koerth  
VP of Land & Acquisition

**XTO Energy Inc.**

By: Edwin S. Ryan Jr. 251  
Edwin S. Ryan Jr.  
Sr. Vice President - Land Administration

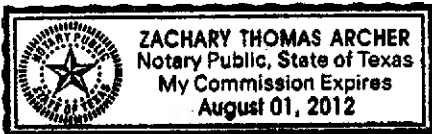
COUNTY OF TARRANT


Before me, the undersigned authority, on this day personally appeared John Robert Engert, known to me to be the identical person whose name subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

COUNTY OF TARRANT

This instrument was acknowledged before me on the 5<sup>th</sup> day of May, 2009, by CLINTON KOERTH, the VICE PRESIDENT of FINLEY RESOURCES, INC., on behalf of said corporation.



  
Notary Public, State of Texas

COUNTY OF TARRANT

This instrument was acknowledged before me on the 19<sup>th</sup> day of the May 2009, by Edwin S Ryan, Jr, S. VP. Land Administration of XTO ENERGY INC, on behalf of said corporation.

Return To:  
Kim Hanks  
9104 Bluegrass Dr.  
Austin, TX 78759

Charles E. Wilkes  
Notary Public, State of Texas



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

SACRAMENTO }

County of \_\_\_\_\_

On April 27, 2009

Date

before me, **Brandon Gregory Morgan, Notary Public**

personally appeared John Robert Engert

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

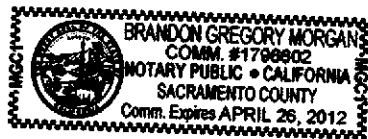
WITNESS my hand and official seal.

Signature

[Signature]

Signature of Notary Public

Place Notary Seal Above



## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual
- ☐ Corporate Officer — Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual
- ☐ Corporate Officer — Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here